



City of Austin

Agenda

City Council Work Session

Mayor Steve Adler

Mayor Pro Tem Delia Garza

Council Member Natasha Harper-Madison

Council Member Sabino "Pio" Renteria

Council Member Gregorio Casar

Council Member Ann Kitchen

Council Member Jimmy Flannigan

Council Member Leslie Pool

Council Member Paige Ellis

Council Member Kathie Tovo

Council Member Alison Alter

Tuesday, June 9, 2020

9:00 AM

via videoconference

The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

A. Pre-Selected Agenda Items

B. Briefings

- B1.** Briefing on matters related to COVID-19.
- B2.** Update on redistricting.
- B3.** Briefing on street impact fee policy development.

C. Council Items of Interest

D. Council Discussion

E. Executive Session

- E1.** Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E2.** Discuss legal issues related to the November 2020 election (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E3.** Discuss legal issues related to Zimmerman v. City of Austin et al, Cause No. D-1-GN-19-005930, in the 98th District Court; and Seago v. City of Austin et al, Cause No. D-1-GN-20-002897, in the 201st

District Court, Travis County Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).

Adjourn

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of June 2, 2020, and regular meeting of June 4, 2020.

Austin Water

2. Authorize the negotiation and execution of a cost participation agreement with Pearson Ranch, LLC for the City to reimburse the developer for an amount not to exceed \$2,200,100 for costs associated with the design and construction of oversized wastewater mains and appurtenances related to Service Extension Request No. 4499R that will provide wastewater service to a proposed mixed use development located north of State Highway 45, south of Neenah Avenue, east of West Parmer Lane, and west of Pearson Ranch Road.

Strategic Outcome(s): Government that Works for All.

District(s): District 6

3. Approve Service Extension Request No. 4622 for wastewater service to a 77.78-acre tract located at 9021 W. US 290 Highway within the Drinking Water Protection Zone, the City's 2-mile Extra-Territorial Jurisdiction and Austin Water's service area.

Strategic Outcome(s): Government that Works for All.

District(s): District 8

Aviation

4. Authorize negotiation and execution of an interlocal agreement with Travis County granting the County a license to design, construct, operate, and maintain a hike and bike trail across a parcel of Austin-Bergstrom International Airport property for a period of 20 years as part of the Onion Creek Greenway.

Strategic Outcome(s): Government that Works for All, Mobility, Health and Environment.

Capital Contracting Office

5. Authorize award and execution of a construction contract with Santa Clara Construction, Ltd. (MBE), for the Onion Creek District Park Reclaimed Water Main Phase 2 project, in the amount of \$339,780 plus a \$33,978 contingency, for a total contract amount not to exceed \$373,758.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 78.17% MBE and 2.35% WBE participation.]

Strategic Outcome(s): Government that Works for All; Health and Environment.

District(s): District 2

6. Approve a resolution finding the use of the competitive sealed proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, is the project delivery

method that provides the best value to the City for the Elizabet Ney Museum Restoration and Improvements project for restoration of and improvements to the existing facilities and site.

(Note: MBE/WBE goals will be established prior to issuance of this solicitation.)

Strategic Outcome(s): Culture and Lifelong Learning.

7. Authorize execution of change order #4 to the construction contract with Restek, Inc., for the Austin Convention Center Parking Garage Repairs at 201 E. 2nd Street and 601 E. 5th Street project, in the amount of \$195,000, for a total contract amount not to exceed \$2,117,500.

[Note: This change order was awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 2.34% MBE and 0.02% WBE.]

Strategic Outcome(s): Safety; Economic Opportunity and Affordability

District(s): District 9

8. Authorize negotiation and execution of a competitive sealed proposal agreement with Gadberry Construction Company, Inc. (MBE), for construction services for the Brush Square - O. Henry Museum Restoration project, in the amount of \$874,808.86 plus a \$131,221.14 contingency for a total amount not to exceed \$1,006,030.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 76.96% MBE and 1.25% WBE participation.]

Strategic Outcome(s): Culture and Lifelong Learning.

District(s): District 9

9. Authorize negotiation and execution of a professional services agreement with Studio 8 Architects, Inc., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP294, to provide professional services for the Dougherty Arts Center Facility Replacement project in an amount not to exceed \$2,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 19.00% MBE and 16.00% WBE participation.]

Strategic Outcome(s): Culture and Lifelong Learning; Economic Opportunity and Affordability.

District(s): District 5

10. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC, (MBE), for the 2021 Austin Water Asphalt and Concrete Restoration Indefinite Delivery/Indefinite Quantity contract, in the amount of \$8,000,000 for an initial two-year term, with three, one-year extension options of \$4,000,000 each for a total contract amount not to exceed \$20,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with: 9.66% MBE and 1.27% WBE participation.].

Strategic Outcome(s): Health and Environment.

11. Authorize negotiation and execution of an amendment to the design build agreement with Southwest Corporation, for continued design and construction services for the Austin Fire Department Locker Room Phase 6 project in the amount of \$13,400,000, for a total contract amount not to exceed \$26,100,000.

[This amendment will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 31.26% MBE and 2.64% WBE.]

Strategic Outcome(s): Safety.

District(s): District 5; District 7; District 9; District 10

Communications and Technology Management

12. Authorize the negotiation and execution of an interlocal agreement with Caldwell County to complete radio system improvements for the County that are funded by Capital Area Emergency Communications District.

Strategic Outcome(s): Safety; Government that Works for All.

13. Authorize the negotiation and execution of an interlocal agreement with Burnet County to complete radio system improvements for the County that are funded by Capital Area Emergency Communications District.

Strategic Outcome(s): Safety; Government that Works for All.

Community Court

14. Authorize the negotiation and execution of an amendment to the interlocal agreement with Travis County and the Austin Travis County Mental Health Mental Retardation Center D/B/A Integral Care for mental health and substance use treatment services for indigent citizens and other eligible clients of the Downtown Austin Community Court, by increasing funding in an amount not to exceed \$280,000 for the current agreement term ending on September 30, 2020, and increasing funding for the three remaining 12-month renewal options not to exceed \$280,000 per renewal option, for a total increase to the agreement in an amount not to exceed \$1,120,000.

Strategic Outcome(s): Economic Opportunity and Affordability.

Economic Development Department

15. Authorize the negotiation and execution of an agreement with Beili Liu, in an amount not to exceed \$155,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 2

16. Authorize the negotiation and execution of an agreement with Kat Kohl, in an amount not to exceed \$155,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 2

17. Authorize the negotiation and execution of an agreement with TRUSONIC, LLC in an amount not to exceed \$260,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 2

18. Approve an ordinance setting the assessment rate and approving the proposed 2021 assessment roll for the Austin Downtown Public Improvement District.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 9

19. Approve an ordinance setting the assessment rate and approving the proposed 2021 assessment roll for the South Congress Preservation Public Improvement District.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 9

20. Approve an ordinance setting the assessment rate and approving a proposed 2021 assessment roll for the East Sixth Street Public Improvement District.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 9

Law

21. Approve negotiation and execution of an amendment to the contract with Kaplan Kirsch & Rockwell LLP for legal services related to general airport law advice in the amount of \$25,000, for a total contract amount not to exceed \$125,000.

Strategic Outcome(s): Government that Works for All.

22. Authorize an amendment to a legal services contract with Richards Rodriguez & Skeith, LLP for services related to LaMarcus Wells v. City of Austin, Cause No. 1: 19-cv-1140-RP in the United States District Court, Western District, Austin, Texas, in the amount of \$350,000 for a total contract amount not to exceed \$410,000.

Strategic Outcome(s): Safety.

Neighborhood Housing and Community Development

23. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$30,000,000, to finance, in part, the new construction of an affordable rental development located at or near 4600 Nuckols Crossing Road, Austin, Texas 78744.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 2

24. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds by Austin

Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$20,000,000 to finance, in part, the new construction of an affordable rental development located at or near 14011 Owen Tech Blvd., Austin, Texas 78728.

Strategic Outcome(s): Economic Opportunity and Affordability.

25. Authorize the negotiation and execution of an amendment to extend the Agreement Concerning Implementation of the East 11th and 12th Streets Urban Renewal Plan between the City and the Urban Renewal Agency (URA).

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

26. Authorize a fee-in-lieu of on-site affordable housing for a proposed development located at or near 2900 Martin Luther King Boulevard that is subject to the MLK Transit Oriented Development Station Area Plan and Regulating Plan.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

Office of Real Estate Services

27. Authorize negotiation and execution of an encroachment agreement with FC Downtown Studios Housing, LLC, a Texas limited liability company, for the permanent subsurface encroachment of a public right-of-way consisting of approximately 649 square feet within the alley of E. 10th Street and approximately 216 square feet within E. 11th Street for improvement of a soil retaining system.

Strategic Outcome(s): Economic Opportunity & Affordability.

District(s): District 1

28. Approve negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple approximately 61.687 acres of land and improvements located at 1495 W. State Highway 21, Cedar Creek, Bastrop County, Texas 78612, also known as the Austin Equestrian Center for an amount not to exceed \$1,462,000 including closing costs. This project is located outside of the city's extra-territorial jurisdiction.

Strategic Outcome(s): Government that Works for All.

29. Approve negotiation and execution of an amendment to the Master Service Agreement entered into on December 29, 2017 to include an additional 560 square feet of cage, rack, and support space for a data center supporting Austin Energy for a 66 1/2-month term and to extend CTM's Master Service Agreement for an additional 26-month term in order to align the terms, for a total amount not to exceed \$4,342,291.20.

Strategic Outcome(s): Government that Works for all.

Parks and Recreation

30. Authorize the negotiation and execution of the Funding, Operations and Administrative Agreement with the Austin-Rosewood Community Development Corporation and the City of Austin.

Strategic Outcome(s): Economic Opportunity; Health & Environment; Culture & Lifelong Learning.

District(s): District 1

Planning and Zoning

31. Approve a resolution directing the City Manager to include a partial exemption from ad valorem taxes for certain historically-designated properties in budget calculations for the coming year; to provide this resolution to the Austin Independent School District; and to prepare an ordinance approving these partial exemptions to be considered by Council concurrently with the annual tax levy.

Strategic Outcome(s): Government that Works for All.

Public Health

32. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$669,000 in grant funds from the Texas Department of Health and Human Services and the Centers for Disease Control and Prevention for the Integrated HIV Programs for Health Departments to Support Ending the HIV Epidemic in the United States.

Strategic Outcome(s): Health and Environment.

Public Works

33. Authorize negotiation and execution of an interlocal agreement with Travis County for the sidewalk improvements in front of 8503 Springdale Road in an amount not to exceed \$50,000.

Strategic Outcome(s): Mobility

Purchasing Office

34. Authorize negotiation and execution of a cooperative purchase agreement with OMNIA Partners, to allow for cooperative procurement of goods and services.

(Note: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All.

35. Authorize award of a multi-term contract with Texas Disposal Systems, Inc., to provide trash, recycling, and organics collection services for the Central Business District, for up to five years for a total contract amount not to exceed \$8,300,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Health and Environment.

36. Authorize negotiation and execution of a multi-term contract with ThyssenKrupp Airport Systems Inc., to provide maintenance, inspections, emergency repairs, parts and training for passenger boarding bridges, for up to five years for a total contract amount not to exceed \$3,001,000.

(Note: Sole source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Mobility.

37. Authorize negotiation and execution of a contract with Waters Technologies Corporation, for the purchase of an ultra-performance liquid chromatograph-mass spectrometer, in an amount not to exceed \$214,582.

(Note: Sole source contracts are exempt from City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Safety.

38. Authorize award of a multi-term contract with BMC Consolidated, LLC D/B/A OB Traffic, to provide traffic signal heads, for up to five years for a total contract amount not to exceed \$750,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Mobility.

39. Authorize negotiation and execution of a contract with The Trail Foundation, to provide a safety and mobility study, in an amount not to exceed \$165,000.

(Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Mobility.

40. Authorize negotiation and execution of a multi-term contract with FarrWest Environmental Supply, Inc., to provide hazardous materials detection and monitoring equipment and services, for up to five years for a total contract amount not to exceed \$875,000.

(Note: Sole source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Strategic Outcome(s): Safety.

41. Authorize negotiation and execution of a multi-term cooperative contract with Cornish Medical Electronics Corporation of Texas D/B/A Cornish Medical, to provide automated external defibrillators, bleed kits, accessories, and related services, for up to three years for a total contract amount not to exceed \$4,085,000.

(Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Safety.

42. Authorize negotiation and execution of a contract with Health Management Associates, Inc., to complete a quality of life study, for a term of 15 months in an amount not to exceed \$200,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All.

43. Authorize negotiation and execution of a multi-term cooperative contract through Staples Contract & Commercial LLC, with Summus Industries Inc. (MBE), to provide office supplies and related services, for up to five years for a total contract amount not to exceed \$13,432,500.

(Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All.

44. Authorize negotiation and execution of a contract with Jane's Due Process, to provide logistical support services for abortion access, for a term of one year for a total contract amount not to exceed \$150,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All; Health and Environment.

Transportation

45. Approve an ordinance amending City Code Chapter 12-4 (Speed Limits) to add definitions of neighborhood street, downtown street, and urban core arterial street, and to establish a maximum speed limit of 25 miles per hour on neighborhood streets, a maximum speed limit of 25 miles per hour on downtown streets, and a maximum speed limit of 30, 35, or 40 miles per hour on urban core arterial streets.

Strategic Outcome(s): Mobility; Safety.

Transportation - Mobility Bond

46. Authorize award and execution of a construction contract with Muniz Concrete & Contracting, Inc.

(MBE), for the Local Mobility ADA Sidewalk and Ramp Improvements Group 23A Citywide - IDIQ Rebid contract in the amount of \$6,000,000 for an initial one-year term, with two, one-year extension options of \$6,000,000, for a total contract amount not to exceed \$18,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 8.37% MBE and 1.93% WBE participation.]

Strategic Outcome(s): Government that Works for All; Mobility; Safety

47. Authorize award and execution of a construction contract with Austin Materials, LLC, for the Miscellaneous Streets Maintenance Overlay Indefinite Delivery/Indefinite Quantity contract, in the amount of \$6,000,000 for an initial one-year term, with three, one-year extension options of \$6,000,000 each, for a total contract amount not to exceed \$24,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 9.18% MBE and 0.65% WBE participation.]

Strategic Outcome(s): Safety; Mobility

Treasury Office

48. Approve a resolution approving an Official Notice of Intention to Issue \$135,800,000 City of Austin, Texas, Certificates of Obligation, Series 2020 (Notice of Intention), directing the publication and posting of the Notice of Intention, and providing information regarding Certificates of Obligation and the City's outstanding debt obligations.

Strategic Outcome(s): Government that Works for All.

Item(s) from Council

49. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.

50. Approve a resolution setting a goal of zero racial disparity in certain metrics under the Safety strategic outcome in Strategic Direction 2023 other racial equity metrics and baseline analyses.

Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Natasha Harper-Madison, Council Member Jimmy Flannigan, and Mayor Steve Adler

51. Approval a resolution relating to the creation of temporary protected bike lanes on Congress Avenue north of Riverside Drive

Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Paige Ellis, Council Member Natasha Harper-Madison, and Council Member Sabino "Pio" Renteria

52. Approve an ordinance amending City Code Chapter 2-5 (Council Action, Appeals, Terms, and Committees) and City Code Chapter 2-10 (Municipal Court), and creating a Public Safety Committee.

Sponsors: Council Member Jimmy Flannigan, Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, and Council Member Natasha Harper-Madison

Item(s) to Set Public Hearing(s)

53. Set a public hearing to consider an ordinance establishing a Street Impact Fee and program. (Suggested date: July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas).
54. Set a public hearing to receive public comment on the City's draft Fiscal Year 2020-2021 Federal Action Plan that relates to federal funding opportunities including funding for housing, homelessness assistance, community development, economic development and public services (Suggested date: July 30, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX).
55. Set a public hearing to consider the Austin Downtown Public Improvement District 2021 proposed assessments. (Suggested date: July 30, 2020 at Austin City Hall, 301 W. Second Street, Austin TX).

District(s): District 9

56. Set a public hearing to consider the South Congress Preservation and Improvement District 2021 proposed assessments. (Suggested date: July 30, 2020 at Austin City Hall, 301 W. Second Street, Austin TX).

District(s): District 9

57. Set a public hearing to consider the East Sixth Street Public Improvement District 2021 proposed assessments. (Suggested date: July 30, 2020 at Austin City Hall, 301 W. Second Street, Austin TX).

District(s): District 9

Non-Consent

Item(s) Referred from Council Committee(s)

58. Approve a resolution appointing and/or reappointing individuals to the Municipal Civil Service Commission, and designating a chair for the Municipal Civil Service Commission.

Sponsors: Audit and Finance Committee

Eminent Domain

59. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of a permanent drainage easement of approximately 0.014 of an acre (approximately 600 square feet) of land situated in the Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, being out of a 7,226 square feet tract and out of Lot 31, Del Crest Addition, of record in Volume 4, Page 68, plat records of Travis County Texas, said 7,226 square feet tract being described in a correction instrument as to a recorded original instrument to Harrison David Sonntag and Danielle Margaret Colette Jackson, recorded in Document Number 2014108289, official public records of Travis County, Texas, in the amount of \$12,900, for the public use of a storm drain infrastructure project to reduce flood risk. The owners of the needed property are Harrison David Sonntag and Danielle Margaret Colette Jackson. The property is located entirely within District 5, at 2215 Iva Lane, Austin, Texas 78704. The general route of the project is in south

central Austin in the South Lamar neighborhood and its area is bounded by Bluebonnet Lane, Del Curto Road, Delcrest Drive, Kinney Road and Thornton Road with offshoots along Southland Drive and Iva Lane.

Strategic Outcome(s): Government that Works for All.

District(s): District 5

Austin Housing and Finance Corporation Meeting

60. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <http://austintexas.gov/department/city-council/2020/20200611-ahfc.htm>).

Public Hearings and Possible Actions

61. Conduct a public hearing and consider an ordinance amending City Code Section 25-13-45 relating to compatible residential uses in Airport Overlay Zone Three (AO3).

Executive Session

62. Discuss legal issues related to the November 2020 election (Private consultation with legal counsel - Section 551.071 of the Government Code).
63. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

64. C14-2019-0169 - 4001 Parmer - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4001 West Parmer Lane (Walnut Creek Watershed). Applicant Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to general office (GO) district zoning. First reading approved general office (GO) district zoning on March 12, 2020. Vote: 9-0. Owner: 4001 Creative Offices, LLC (Ellis Winstanley, Manager). Agent: Metcalfe Wolf Stuart & Williams (Michele Rogerson Lynch). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

65. C14-2019-0152 - Castle East - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1109 West 11th Street (Shoal Creek Watershed). Applicant's Request: To rezone from multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission: To forward to Council without a recommendation due to lack of an affirmative vote.

Owner and Applicant: East Castle Holdings, LLC (Victor Ayad). Agent: A Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

66. NPA-2018-0005.01 - 1501 Airport Commerce Drive-Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1501 Airport Commerce Drive, (Carson Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission recommendation: To deny Mixed Use land use. Owner/Applicant: W2 Hill ACP II LP; W2 Real Estate Partners. Agent: Amanda Swor; Drenner Group City Staff: Jesse Gutierrez, (512) 974-1606.

District(s): District 3

67. C14-2019-0029 - 1501 Airport Commerce Dr - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1501 Airport Commerce Drive (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To deny general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: W2 Hill ACP II, LP. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 3

68. NPA-2020-0031.01 - 8803 N Mopac SB -Conduct a public hearing and approve an ordinance amending Ordinance No. 20180823-082, the North Shoal Creek Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 8803 N. MOPAC Expressway (Shoal Creek Watershed) from Industry to Commerce use land use. Staff Recommendation and Planning Commission Recommendation: To grant Commerce use land use. Applicant/Owner: SemMaterials Energy Partners LLC % BKEP Materials. Agent: Drenner Group (Amanda Swor). Staff: Maureen Meredith (512) 974-2695.

District(s): District 10

69. C14-2020-0013 - 8803 N Mopac -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8803 North Mopac Expressway (Shoal Creek Watershed). Applicant Request: To rezone from limited industrial services (LI) district zoning to general commercial services (CS) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services (CS) district zoning. Applicant/Owner: Semmaterials Energy Partners, LLC % BKEP Materials. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

70. C14-2020-0037 - 10400 Research Blvd. VMU -- Conduct a public hearing and approve an

ordinance amending City Code Title 25 by rezoning property locally known as 10400 Research Boulevard (Walnut Creek and Bull Creek Watersheds). Applicant Request: To rezone from community commercial (GR) district zoning and limited office (LO) district zoning to community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Applicant/Owner: Wells Fargo Bank NA (Clark Tabbert, Vice President). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

71. C14-2020-0040 - New Lot -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11833 Buckner Road (Lake Travis Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to community commercial (GR) district zoning. Staff Recommendation: To deny the rezoning. Zoning and Platting Commission Recommendation: To be reviewed on June 2, 2020. Applicant/Owner: Ramin Zavareh. City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

72. C14-2020-0046 - Jollyville Apartments -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12182 Jollyville Road (Walnut Creek Watershed). Applicant Request: To rezone from single family residence-standard lot (SF-2) district zoning to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multifamily residence-medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 2, 2020. Applicant/Owner: Spatz Development (David Spatz). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

73. C14-2020-0010 - FM 969 Retail- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6401 East FM 969 Road (Walnut Creek Watershed). Applicant Request: To rezone from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: to grant commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed May 26, 2020. Owner/Applicant: 6401 E FM 969 LLC (Najib Webhe). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.

74. C14-2020-0032 (C14H-77-032) - Freedmen's - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2402 San Gabriel Street (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services-mixed use-historic landmark-neighborhood plan (CS-MU-H-NP) combining district zoning to commercial-liquor sales-mixed use-historic landmark-neighborhood plan (CS-1-MU-H-NP) combining district zoning. Staff Recommendation and Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-historic landmark-neighborhood plan (CS-1-MU-H-NP) combining district zoning. Owner Hilltop Venture SH (TX) LP (Edward Johnson). Agent: Johnson

Trube and Associates (Edward Johnson). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

75. C14-2020-0045 - Dessau Rezone- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9701 Dessau Road (Little Walnut Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: SL5 ATX Industrial (John Kiltz) LP. Agent: Land Use Solutions (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

76. C14H-2020-0033 - Teer-Peterson House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2408 Harris Boulevard Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation and Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Willy Fischler; Owner; Tina Contros. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

District(s): District 3

77. NPA-2019-0003.01 - David Chapel Missionary Baptist Church - Conduct a public hearing and approve an ordinance amending Ordinance No. 19990715-113 the Chestnut Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2201, 2203, 2207, 2211, 2301 E. Martin Luther King, Jr. Blvd; 1805, 1807 Ferdinand Street and 1803, 1807 Chestnut Ave. (Boggy Creek Watershed) from Civic and Single Family to Mixed Use land use. Staff recommendation: Pending. Planning Commission recommendation: To be review on June 23, 2020. Owner/Applicant: David Chapel Missionary Baptist Church. Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 1

78. NPA-2016-0014.01.SH Nuckols Crossing Rd - SMART Housing - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4316 & 4400 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on July 14, 2020. Owners: Angelos Angelou, John Sasaridis, and Weindel Mark Sebastian Miles. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 2

79. C14-2017-0010.SH - Nuckols Crossing Road - SMART Housing - Conduct a public hearing and

approve an ordinance amending City Code Title 25 by rezoning property locally known as 4316 and 4400 Nuckols Crossing Road (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning, as amended. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on July 14, 2020. Owners: Angelos Angelou and John Sasaridis; Mark Sebastian Miles Weindel. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

80. NPA-2017-0021.01 -4530 E. Ben White Blvd - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 E. Ben White Blvd. (Country Club Creek Watershed) from Single Family and Commercial to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To deny Mixed Use land use. Owner/Applicant: 4539 East Ben White Associates LLC (Trevor Belton, Authorized Signatory). Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

81. C14-2019-0167 - 4530 E. Ben White Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4530 E. Ben White Blvd (Country Club West Watershed). Applicant Request: To rezone from single family residence standard lot - neighborhood plan (SF-2-NP) combining district zoning and general commercial services - conditional overlay - neighborhood plan (CS-CO-NP) combining district zoning to general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To deny general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner: 4539 East Ben White Associates LLC (Trevor Belton). Applicant: Coats Rose (John Joseph). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

82. NPA-2019-0016.01 - Shady Lane Mixed Use -Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 914 Shady Lane (Boggy Creek Watershed) from Single Family and Water land use to Neighborhood Mixed Use and Higher Density Single Family land use. Staff Recommendation: To grant the applicant's request for Neighborhood Mixed Use and Higher Density Single Family land use. Planning Commission Recommendation: To be reviewed June 23, 2020. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

83. C14-2019-0098 - Shady Lane Mixed Use - Conduct a public hearing and approve an ordinance

amending City Code Title 25 by rezoning property locally known as 914 Shady Lane (Boggy Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning (Tract 1) and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning (Tract 2). Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning (Tract 1) and neighborhood commercial -mixed use-neighborhood plan (LR-MU-NP) combining district zoning (Tract 2). Planning Commission Recommendation: To be reviewed June 23, 2020. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning case.

District(s): District 3

84. NPA-2019-0015.02 - 3500 Pecan Springs Residential -Conduct a public hearing and approve an ordinance amending Ordinance No.021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3500 Pecan Springs Rd., (Fort Branch Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation and Planning Commission Recommendation: To Grant Higher Density Single Family land use. Owner/Applicant: Peter Gray. Agent: Ron Thrower; Thrower Design. City Staff: Jesse Gutierrez, (512) 974-1606.

District(s): District 1

85. C14-2019-0164 - 3500 Pecan Springs Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3500 Pecan Springs Road (Fort Branch Creek Watershed) from family residence-neighborhood plan(SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: 9025BFD, LLC (Peter Gray). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to the rezoning case.

District(s): District 1

86. C14-2020-0007 - 2001 Guadalupe Street Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2001 Guadalupe Street (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services - neighborhood plan (CS-NP) combining district zoning to general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed June 9, 2020. Owner/Applicant: Powell-Corbert LLC (William Corbert). Agent: Coats-Rose (John Joseph). Staff: Mark Graham, 512-974-3574.

District(s): District 9

Consent Agenda

Austin Resource Recovery

87. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Resource Recovery Department Operating and Capital Budgets (Ordinance No. 20190910-001) related to the expansion of community litter abatement efforts.

Strategic Outcome(s): Health and Environment.

Law

88. Approve negotiation and execution of an amendment to the contract with Kaplan Kirsch & Rockwell LLP for legal services related to general airport law advice in the amount of \$40,000, for a total contract amount not to exceed \$140,000.

Strategic Outcome(s): Government that Works for All.

Public Health

89. Authorize negotiation and execution of an agreement with The Cook's Nook to provide emergency food access for caregivers of students in Del Valle schools in an amount not to exceed \$700,000 for the term June 15, 2020 through August 31, 2020.

Strategic Outcome(s): Health and Environment; Economic Opportunity and Affordability.

90. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin-Dell Medical School, to design and conduct a study of seroprevalence of SARS-CoV-2 in Austin in relation to the COVID-19 pandemic, for a term from August 1, 2020 through September 30, 2022, in an amount not to exceed \$1,449,999.03.

Strategic Outcome(s): Health and Environment.

91. Authorize ratification of an interlocal agreement with the Travis County Healthcare District d/b/a Central Health to share data, manage and monitor individuals, trace contacts, model data and make recommendations for the purpose of understanding, responding to, and mitigating the spread of COVID-19 at no cost to the City.

Strategic Outcome(s): Safety.

Purchasing Office

92. Authorize negotiation and execution of an interlocal agreement with different state and local governmental entities to establish the Texas Interlocal Purchasing Cooperative to allow for cooperative procurement of goods and services.

(Note: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All.

Item(s) from Council

93. Approve an ordinance amending City Code Chapter 2 relating to City Council committees and the Municipal Court; creating a Public Safety Committee; and declaring an emergency.

Sponsors: Council Member Jimmy Flannigan, Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, and Council Member Natasha Harper-Madison

94. Approve a resolution relating to tenant selection policies and procedures for individuals with prior convictions or evictions.

Sponsors: Council Member Natasha Harper-Madison, Council Member Kathie Tovo, Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, and Mayor Steve Adler

95. Approve a resolution relating to City of Austin policies on police use of force; on police munitions, equipment, and technology; on policing tactics; and on the upcoming cadet class.

Sponsors: Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison, Council Member Jimmy Flannigan, and Mayor Steve Adler

96. Approve a resolution relating to Council direction for the FY 2020-21 budget and creating reporting requirements for Austin Police Department General Orders.

Sponsors: Council Member Natasha Harper-Madison, Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, and Council Member Jimmy Flannigan

97. Approve a resolution directing the City Manager to negotiate and execute an Annexation and Development Agreement, concerning the annexation and development of approximately 25 acres in Travis County, generally located at 11201, 11205, and 11213 N FM 620 and contiguous to District 6.

Sponsors: Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Paige Ellis, and Council Member Sabino "Pio" Renteria

Item(s) to Set Public Hearing(s)

98. Set a public hearing concerning full purpose annexation of approximately 56 acres located in Travis County, located near 5200 McKinney Falls Road, and authorize negotiation and execution of a written agreement with the owner of the land for the provision of services. The property is currently part of an annexation and development agreement and is adjacent to Austin Council District 2. (Suggested date: July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

Executive Session

99. Discuss legal issues related to Zimmerman v. City of Austin et al, Cause No. D-1-GN-19-005930, in the 98th District Court; and Seago v. City of Austin et al, Cause No. D-1-GN-20-002897, in the 201st District Court, Travis County Texas. (Private consultation with legal counsel-Section 551.071 of the Government Code).

Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

100. C14-2020-0031.SH E MLK Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5201 East Martin Luther King Jr. Boulevard (Fort Branch Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence highest

density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed June 9, 2020. Owner/Applicant: 5201 E MLK LP (Ryan Walker). Agent: Thrower Designs (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

- 101.** C14-2019-0129 - 10801 Wayne Riddell Loop - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10801 Wayne Riddell Loop (Slaughter Creek Watershed; Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions. Owner/Applicant: Riddell Family Limited Partnership (James A. Henry). Agent: Smith Robertson, L.L.P. (David Hartman). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5